

The Gazette



of India

PUBLISHED BY AUTHORITY

No. 48] NEW DELHI, SATURDAY, NOVEMBER 29, 1952**NOTICE**

The undermentioned Gazettes of India Extraordinary were published upto the 22nd November 1952 :—

Issue No.	No. and date	Issued by	Subject
152	S. R. O. 1903, dated the 15th November 1952.	Ministry of Law.	Publication of an Order made by the President for general information.
	S. R. O. 1904, dated the 15th November 1952.	Ditto.	Declaration made by the President for general information.
153	S. R. O. 1905, dated the 15th November 1952.	Ministry of Commerce and Industry.	A Notification issued by the Iron and Steel Controller for general information.
154	S. R. O. 1906, dated the 19th November 1952.	Ministry of Finance (Revenue Division).	Exemption of certain goods falling under Items of the Second Schedule to the Indian Tariff Act, 1934.
155	S. R. O. 1947, dated the 20th November 1952.	Ministry of Commerce and Industry.	Further Amendments to be made in the Textile Commissioner's Notification No. S. R. O. 1735, dated the 23rd October 1952.
156	S. R. O. 1948, dated the 20th November 1952.	Ministry of Law.	Publication of an Order made by the President for general information.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 19th November 1952

S.R.O. 1950.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with articles 313 and 372 thereof and paragraph 19 of

(1733)

the Adaptation of Laws Orders, 1950. the President hereby makes the following further amendment in the Civil Services (Classification, Control and Appeal) Rules, namely:—

In Schedule II to the said Rules for item 19, the following item shall be substituted, namely:—

"19. (a) Central Secretariat Service, Grade I;

(b) Central Secretariat Service, Grade II."

2 This amendment shall be deemed to have come into force with effect from the 22nd July, 1950.

[No. 12/49/52-Estt.]

B. D. TEWARI, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 19th November, 1952

S.R.O. 1951—In exercise of the powers conferred by section 11 of the Chandernagore (Administration) Regulation, 1952, the Central Government hereby extends to Chandernagore the enactments specified in column 1 of the Schedule hereto annexed subject to the modifications specified in column 2 of the said Schedule :—

SCHEDULE.

Enactments I	Modifications. 2
1. The Court Fees Act, 1870 (VII of 1870).	<p>1. Throughout the Act—</p> <p>(a) for the words 'appropriate Government' or 'State Government' the words 'Central Government' shall be substituted</p> <p>(b) for the words 'High Court' the words 'Calcutta High Court' shall be substituted.</p> <p>2. In Chapter II—</p> <p>(a) all references to the Courts of small causes at the Presidency Towns shall be omitted ;</p> <p>(b) in section 3, the words and figures ' No. 11 of the first and ' shall be omitted.</p> <p>3. Chapter IIIA shall be omitted.</p> <p>4. For Schedule I, the Schedule in the Appendix to this notification shall be substituted.</p> <p>5. Schedule III shall be omitted.</p>
2. The Indian Stamp Act, 1899 (II of 1899)	<p>1. Throughout the Act, for the word ' Government ' or the words ' State Government ' the words ' Central Government ' shall be substituted.</p> <p>2. In sub-section (1) of section 57, for clauses (a) to (g), the words ' the High Court at Calcutta ' shall be substituted.</p>

Appendix

1. Plaint or written statement pleading a set-off or counter-claim (not otherwise provided for in this Act) presented to any Civil or Revenue Court.	When the amount or value of the subject-matter in dispute does not exceed two thousand rupees, for every hundred rupees, or part thereof of such amount (or value) and	Eight annas.
	when such amount or value exceeds two thousand rupees for every hundred rupees or part thereof, in excess of two thousand rupees, up to ten thousand rupees and	One rupee.
	when such amount or value exceeds ten thousand rupees, for every hundred rupees or, part thereof, in excess of ten thousand rupees	One rupee eight annas.
2. Memorandum of appeal (not otherwise provided for in this Act) or of cross-objection presented to any Civil or Revenue Court except the High Court at Calcutta.	When the amount or value of the subject-matter in dispute does not exceed two thousand rupees, for every hundred rupees, or part thereof of such amount (or value) and	Rupee one.
	when such amount or value exceeds two thousand rupees for every hundred rupees or part thereof, in excess of two thousand rupees, up to ten thousand rupees and	Rupees two.
	when such amount or value exceeds ten thousand rupees, for every hundred rupees or, part thereof, in excess of ten thousand rupees.	Three rupees.
3. Plaint in a suit for possession under (the Specific Relief Act, 1877, section 9)	A fee of one-half the amount prescribed in the foregoing scale.
4. (Repealed by Act VIII of 1871.)	
5. Application for review of judgement if presented, if on or after the ninetieth day from the date of the decree.	The fee leviable on the plaint or memorandum of appeal.
6. Application for review of judgement, if presented before the ninetieth day from the date of the decree.	One-half of the fee leviable on the plaint or memorandum of appeal.
7. Copy or translation of a judgement or order not being or having the force of a decree.		Six annas.
	When such judgement or order is passed by a High Court.	One rupee eight annas.

8. Copy of a decree or order having the force of a decree. When such decree or order is made by any Civil Court, or by any Revenue Court, Six annas.
- When such decree or order is made by a High Court. Four rupees.
9. Copy of any document liable to stamp-duty (under the Indian Stamp, Act, 1899) when left by any party to a suit or proceeding in a place of the original withdrawn. Six annas.
10. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any account, statement, report or the like taken out of any Civil or Criminal or Revenue Court or Office or from the office of any chief officer charged with the executive administration of a Division. For every three hundred and sixty words or fraction of three hundred and sixty words. Eight annas.

SCHEDULE I.—*contd.*Table of rates of *ad valorem* fees leviable on the institution of suits.

When the amount or value of the subject-matter exceeds	But does not exceed	Proper Fee
Rs.	Rs.	Rs. A. Ps.
	100	0 8 0
100	200	1 0 0
200	300	1 8 0
300	400	2 0 0
400	500	2 8 0
500	600	3 0 0
600	700	3 8 0
700	800	4 0 0
800	900	4 8 0
900	1000	5 0 0
1000	1100	5 8 0
1100	1200	6 0 0
1200	1300	6 8 0
1300	1400	7 0 0
1400	1500	7 8 0
1500	1600	8 0 0
1600	1700	8 8 0
1700	1800	9 0 0
1800	1900	9 8 0
1900	2000	10 0 0
2000	2100	21 0 0
2100	2200	22 0 0
2200	2300	23 0 0
2300	2400	24 0 0
2400	2500	25 0 0
2500	2600	26 0 0
2600	2700	27 0 0
2700	2800	28 0 0
2800	2900	29 0 0
2900	3000	30 0 0

When the amount or value of
the subject matter exceeds

But does not exceed

Proper Fee

Rs.	Rs.	Rs.	A.	P.
3000	3100	31	0	0
3100	3200	32	0	0
3200	3300	33	0	0
3300	3400	34	0	0
3400	3500	35	0	0
3500	3600	36	0	0
3600	3700	37	0	0
3700	3800	38	0	0
3800	3900	39	0	0
3900	4000	40	0	0
4000	4100	41	0	0
4100	4200	42	0	0
4200	4300	43	0	0
4300	4400	44	0	0
4400	4500	45	0	0
4500	4600	46	0	0
4600	4700	47	0	0
4700	4800	48	0	0
4800	4900	49	0	0
4900	5000	50	0	0
5000	5100	51	0	0
5100	5200	52	0	0
5200	5300	53	0	0
5300	5400	54	0	0
5400	5500	55	0	0
5500	5600	56	0	0
5600	5700	57	0	0
5700	5800	58	0	0
5800	5900	59	0	0
5900	6000	60	0	0
6000	6100	61	0	0
6100	6200	62	0	0
6200	6300	63	0	0
6300	6400	64	0	0
6400	6500	65	0	0
6500	6600	66	0	0
6600	6700	67	0	0
6700	6800	68	0	0
6800	6900	69	0	0
6900	7000	70	0	0
7000	7100	71	0	0
7100	7200	72	0	0
7200	7300	73	0	0
7300	7400	74	0	0
7400	7500	75	0	0
7500	7600	76	0	0
7600	7700	77	0	0
7700	7800	78	0	0
7800	7900	79	0	0
7900	8000	80	0	0
8000	8100	81	0	0
8100	8200	82	0	0
8200	8300	83	0	0
8300	8400	84	0	0
8400	8500	85	0	0
8500	8600	86	0	0
8600	8700	87	0	0
8700	8800	88	0	0
8800	8900	89	0	0
8900	9000	90	0	0
9000	9100	91	0	0
9100	9200	92	0	0
9200	9300	93	0	0

When the amount or value of the subject matter exceed	But does not exceed	Proper Fee
Rs	Rs	Rs. A. P.
9300	9400	94 0 0
9400	9500	95 0 0
9500	9600	96 0 0
9600	9700	97 0 0
9700	9800	98 0 0
9800	9900	99 0 0
9900	10,000	100 0 0

and the fee increases at the rate of one rupee eight annas for every hundred rupees, or part thereof.

[No. D. 5636-Ext I/52.]

S. GUPTA, Under Secy.

MINISTRY OF STATES

New Delhi, the 26th November 1952

S.R.O. 1952.—The Central Government is pleased to notify that Maharajkumar Raj Singhji Bahadur, son of His Highness the Maharawal of Dungarpur, has been nominated by the said Ruler, for the purposes of Entry 2(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1951.

[No. 227-D.]

H. C. MAHINDROO, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 20th November 1952

S.R.O. 1953.—In exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that the following further amendments shall be made in the Indian Income-tax Rules, 1922, the same having been previously published as required by sub-section (4) of the said section, namely:—

In the said Rules—

(1) In rule 2, for the second and third paragraphs the following shall be substituted, namely:—

“Such application shall be signed by all the partners (not being minors) personally, or in the case of a dissolved firm by all persons (not being minors) who were partners in the firm immediately before dissolution and by the legal representative of any such partner who is deceased, and shall, for any year of assessment upto and including the assessment for the year ending on the 31st day of March, 1953, be made before the 20th February 1953, and for any year of assessment subsequent thereto, be made—

- (a) where the firm is not registered under the Indian Partnership Act, 1932 (IX of 1932) or where the deed of partnership is not registered under the Indian Registration Act, 1908 (XVI of 1908), and the application for registration is being made for the first time under the Act,
- (i) within a period of six months of the constitution of the firm or before the end of the ‘previous year’ of the firm whichever is earlier, if the firm was constituted in that previous year,
- (ii) before the end of the previous year in any other case,

(b) where the firm is registered under the Indian Partnership Act, 1932 (IX of 1932) or where the deed of partnership is registered under the Indian Registration Act 1908 (XVI of 1908), before the end of the previous year of the firm, and

(c) where the application is for renewal of registration under Rule 6 for any year, before the 30th day of June, of that year

Provided that the Income tax Officer may entertain an application made after the expiry of the time-limit specified in this rule, if he is satisfied that the firm was prevented by sufficient cause from making the application within the specified time

2 In rule 3,—

(i) the words "the proviso to" shall be omitted,

(ii) in paragraph 3 of Form I annexed to the said rule, for the words "previous year were" the words "previous year were/will be" shall be substituted,

(iii) to the heading of section B of the Schedule to the form annexed to the said rule, the brackets and words "(applicable where the application is made after the end of the relevant previous year)" shall be added at the end

3 In rule 6, for the words beginning with the words "the application shall be made" and ending with the words and figure "Rule 2" the following shall be substituted, namely —

"The application shall be made before the 30th day of June of the year for which assessment is to be made provided that the Income-tax Officer may entertain an application made after the expiry of the said date, if he is satisfied that the firm was prevented by sufficient cause from making the application before that date"

[No 80]

K L MITTAL, Secy

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 17th November 1952

S.R.O. 1951.—In exercise of the powers conferred by section 5 of the Industries (Development and Regulation) Act 1951 (LXV of 1951) the Central Government hereby appoints Shri N Kanungo M.P., as a member of the Central Advisory Council constituted under this Ministry's Notification No SRO 812 dated the 8th May 1952 to represent the interests of consumers of goods manufactured or produced by scheduled industries

[No 3(2)IA(G)/52]

B B SAKSENA, Dy Secy.

New Delhi, the 22nd November 1952

S.R.O. 1955.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) the Central Government hereby directs that the following further amendment shall be made in the Cotton Textiles (Control) Order 1948, namely —

In the said Order, in each of the sub-paragraphs (viii) and (ix) of paragraph (d) of sub-clause (3) of Clause 21 the words "and every subsequent month" shall be deleted

[No 9(4)-CT(A)/52-19]

S.R.O. 1956.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act 1946 (XXIV of 1946), the Central Government

hereby directs that the following further amendment shall be made in the Cotton Control Order, 1950, namely:—

In the said Order, sub-clause (3) of Clause 17 shall be deleted.

[44(15)-CT(A)/52-3.]

New Delhi, the 29th November 1952

S.R.O. 1957.—Corrigendum.—In this Ministry's Order No. S.R.O. 1787, dated the 23rd October, 1952, published in the Gazette of India Part II, Section 3, dated the 23rd October, 1952, on pages 899-901—

- (i) In sub-clause (2) of clause 9B as substituted by clause 4 for the letter "A" where it occurs for the third time, read the letter "C".
- (ii) In item (i) of clause 9 for the letters, figures and words "No. S.R.O. dated the 23rd October, 1952" read the letters, figures and words "No. S.R.O. 1785, dated the 23rd October, 1952.", and
- (iii) in item (iii) of clause 9 for the figures "1-9-52" where they occur for the first time, read the figures "1-9-50".

[No. 44(12)CT(A)/52-5.]

ORDER

New Delhi, the 29th November 1952

S.R.O. 1958.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendment shall be made in the Cotton Textiles (Control) Order, 1948, namely:—

In clause 24 of the said Order, the Explanation shall be numbered as "Explanation 1" and after Explanation 1 as so numbered the following "Explanation 2" shall be added, namely:—

"Explanation 2.—For the purposes of this clause and of clause 27 the expressions 'manufacturer' and 'dealer' shall be deemed to include any person employed by or acting on behalf of such manufacturer or dealer, as the case may be".

[No. 9(4)-CT(A)/52-20.]

S. A. TECKCHANDANI, Under Secy.

Bombay, the 29th November 1952

S.R.O. 1959.—In exercise of the powers conferred on me by sub-clause (i) of clause 3 of the Cotton Control Order, 1950, I hereby direct that the following amendments shall be made in the Textile Commissioner's Notification No. S.R.O. 1785, dated the 23rd October, 1952:—

In the said notification—

1. In paragraph 4—

- (i) In clause (a) for the letters, brackets, and word "(b), (x), (y) and (z)" the letters, brackets, and word "(w), (x) and (y)" shall be substituted.
- (ii) In clause (g) for the words "Jaydhar", "Laxmi" the words "Jaydhar" and "Laxmi" shall be substituted.
- (iii) In clause (m) after the words "South Arcot" the word "Chingleput," shall be inserted.

2. In Schedule "A"

- (i) against the entry "Western" in column 1, the figures "70" and "100" shall be inserted in column 7 below the headings 3/32" and 4/32" respectively;
- (ii) against the entry "Upland" in column 1, the figures "70" and "100" shall be inserted in column 7 below the headings 3/32" and 4/32", respectively.

[No. 44(12)CT(A)/52-6.]

T. SWAMINATHAN,
Textile Commissioner.

New Delhi, the 25th November 1952

S.R.O. 1960.—The following General Authorisation issued by the Iron and Steel Controller under Clauses 4 and 5 of the Iron and Steel (Control of Production and Distribution) Order, 1941, is published for general information:—

"In exercise of the powers conferred on me under Clauses 4 and 5 of the Iron and Steel (Control of Production and Distribution) Order, 1941, I hereby authorise the acquisition and disposal, by any person without a permit of any quantity of Wrought Iron Pressure Pipes and Tubes, Steel Pressure Pipes and Tubes and Cast Iron Pressure Pipes of indigenous manufacture.

(Sd.) C. R. NATESAN,
Iron and Steel Controller."

[No. SC(A)-16(223).]

S.R.O. 1961.—The following Notification issued by the Iron and Steel Controller under clause 11B of the Iron and Steel (Control of Production and Distribution) Order, 1941, is published for general information:—

"NOTIFICATION

In exercise of the powers conferred by sub-clause (1) of clause 11B of the Iron and Steel (Control of Production and Distribution) Order, 1941, I hereby direct that the following further amendment shall be made in the Notification of the Government of India in the late Department of Supply, No. SEC 1-P3, dated the 28th June, 1945, published in the Gazette of India, Extraordinary, dated the 30th June, 1945, as amended from time to time, namely,—

At the end of Schedule I of the said Notification, the following Proviso shall be added:—

Provided that the prices specified above shall not apply to Wrought Iron Pressure Pipes and Tubes, Steel Pressure Pipes and Tubes and Cast Iron Pressure Pipes of indigenous manufacture which shall be deemed to be excluded from the operation of price control.

(Sd.) C. R. NATESAN,
Iron and Steel Controller."

[No. SC(A)-16(223)-A.]

D HEJMADI, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 24th September 1952

S.R.O. 1962.—The following draft of revised rules which it is proposed to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), supersession of the Wool (Grading and Marking) Rules, 1950 is published, as required by the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after 21st December 1952.

Any objection or suggestion, which may be received from any person in respect of the said draft before the date specified, will be considered by the Central Government.

1. *Short title.*—(a) These rules may be called the Wool Grading and Marking Rules, 1950.

(b) They shall apply to wool obtained from sheep in any part of India except the State of Jammu and Kashmir and of specified trade descriptions as set out in the annexed schedules.

2 *Grade designations.*—The grade designations to indicate the characteristics and quality of wool of specified trade descriptions other than ginned wool are set out in column 1 of Schedule I. The grade designation of ginned wool is set out in Schedule II.

3. *Definition of quality.*—The definition of quality indicated by the grade designations is specified in columns 2 to 5 of Schedule I.

4. *Grade designation mark.*—The grade designation mark to be applied to each bale or package shall consist of a label bearing the design set out in Schedule III and the colour of the printed lettering on the label shall be as set out in the same Schedule.

5. *Method of marking.*—The grade designation mark shall only be applied on full or half pressed bales, as the case may be, in a manner approved by the Agricultural Marketing Adviser to the Government of India. The following particulars shall be clearly indicated on the labels:—

- (i) Serial number;
- (ii) Grade and trade description;
- (iii) Colour;
- (iv) Yield percentage;
- (v) Name of place of packing;
- (vi) Date of packing and marking.

Provided that an authorised packer may stamp or write his private trade mark on the bale or package, if such private trade mark represents the same trade description, quality and grade of wool as that indicated by the Agmark label and is duly certified by the Agricultural Marketing Adviser to that effect.

6. *Method of packing.*—The wool shall be press-packed with covering of new gunny cloth in bales with sufficient number of bands tightly placed around the bale of customary weights of 200 to 400 lb. (90·7 to 181·4 kg.).

7. In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the conditions set out in Schedule III to these rules shall be the conditions of any certificate of authorisation issued for the purposes of these rules.

SCHEDULE I
Grade designations and definition of quality of Indian Wool

Grade designation	Colour of fibre	Special characteristics		General characteristics
		Tolerance limit for colour	Yield per cent. of wool	
1	2	3	4	5
W . . .	White . . .	Shall not contain more than 5 per cent. of creamy and dirty white fibres and shall not contain wool of any other colour.	Actual yield percentage	All grades shall be free from burrs, thorns, sticks, ginned wool etc. Only grease, dirt and dust and minute particles of vegetable matter clinging to fibres will be ignored. Wool of all grades shall be clean and dry in feel. Fibres shall be fairly uniform in quality. The yield of the wool shall be 75 per cent. or over.
C.W. . .	Creamy White . . .	Shall not contain more than 10 per cent. of dirty white fibres and shall not contain wool of any other colour.	Ditto.	Ditto.
D.W. . .	Dirty White . . .	Shall not contain more than 5 per cent. of pale yellow fibres and shall not contain wool of any other colour.	Ditto.	Ditto.
P.Y. . .	Pale Yellow . . .	Shall not contain more than 5 per cent. of white and yellow fibres and shall not contain wool of deep yellow or of any other colour.	Ditto.	Ditto.
Y . . .	Yellow . . .	Shall not contain more than 5 per cent. of deep yellow fibres and shall not contain wool of any other colour except white and pale yellow.	Ditto.	Ditto.
D.Y. . .	Deep Yellow . . .	Shall not contain wool of any other colour except white or yellow.	Ditto.	Ditto.
C . . .	Coloured Wool . . .	May contain fibres of any colour . . .	Ditto.	Ditto.

SCHEDULE II

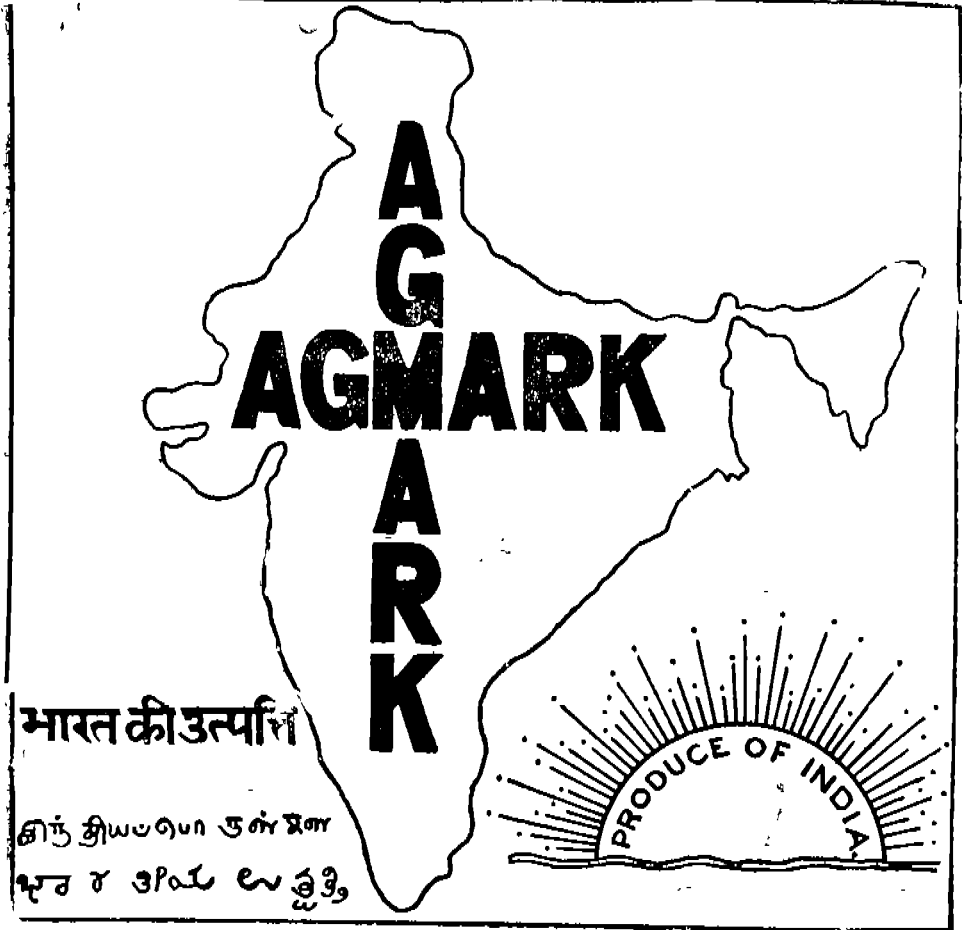
Ginned wool shall be marked with the grade designation "Ginned Wool".

N.B.—In the case of ginned wool the requirement under general characteristics in column 5 of Schedule I that the yield of wool shall be 75 per cent. or over shall not apply. Actual yield per cent. shall be shown on the label.

SCHEDULE III

(See Rule 4)

The grade designation mark to be applied to bales of wool shall contain the following design:—



The colour of the printed lettering on the labels for different trade descriptions shall be as under:—

Trade descriptions of wool	Colour of printed lettering
White	Red.
Creamy White	Blue.
Dirty White	Green.
Pale Yellow	Orange.
Yellow	Yellow.
Deep Yellow	Brow.
Coloured Wool	Black.

(Agriculture)

New Delhi, the 24th November 1952

S.R.O. 1963.—Shri T. S. Krishnamurti was appointed as Secretary, Indian Central Oilseeds Committee, New Delhi, with effect from the forenoon of the 29th November, 1950 to 24th September, 1951 (AN). Thereafter he reverted to the Central Secretariat Service and was posted as Under Secretary, Ministry of Food and Agriculture (Food) from the same afternoon vide Notification No. 7(74)/A-1, dated 11th January, 1952.

[No. F.5-10/51-Com.]

J. S. RAJ, Under Secy.

(Agriculture)

FAMINE

New Delhi, the 25th November 1952

SUBJECT:—*In the matter of the Charitable Endowments Act, 1890 and in the matter of Funds to be administered by the Board of Management of the Indian People's Famine Trust.*

S.R.O. 1964.—Whereas application has been made in the mode provided by section 6, sub-section (1) clause (a) of Charitable Endowments Act, 1890 (VI of 1890), by the Board of Management, acting in the administration of the Indian People's Famine Trust, that the scheme settled in the terms contained in the rules published with the notification of the Government of India in the late Department of Revenue and Agriculture, No. 1616-F, dated the 25th July, 1900 which was applied to a further endowment by the like notification No. 1876-F, dated the 14th September, 1900, and modified by the like notifications No. 1703, dated the 9th August, 1900, No. 1321-Agri, dated the 17th June, 1925, and No. F.6-10/49-R., dated the 16th August, 1949, be further modified. Now, under and by virtue of the powers conferred by section 5, sub-section (2), of the said Act, and with the concurrence of the said Board, the Central Government hereby directs that the following further modification shall be made in the said scheme:—

In rule 3 of the said rules for the words "The Minister of Agriculture, Government of India, shall be the Chairman of the Board", the words "The Minister and the Deputy Minister for Food and Agriculture, Government of India, shall be the Chairman and the Vice-Chairman of the Board, respectively".

shall be substituted.

[No. F.4-8/51-P.C.IV/II.]

VISHNU SAHAY, Secy.

MINISTRY OF HEALTH

New Delhi, the 18th November 1952

S.R.O. 1965.—Shri Prabhat Chandra Pyarelal Sinha, L.D.Sc., has been duly elected with effect from the 11th August, 1952, as a member of the Dental Council of India from Madhya Pradesh under clause (a) of section 3 of the Dentists Act, 1948 (XVI of 1948).

[No. F.6-2/52-MI(A).]

S.R.O. 1966.—Dr. Rabindra Kumar Chanda, D.E.D.P., has been duly elected with effect from the 15th September, 1952, as a member of the Dental Council of India from Assam under clause (a) of section 3 of the Dentists Act, 1948 (XVI of 1948).

[No. F.6-2/52-MI(B).]

KRISHNA BIHARI, Asstt. Secy.

MINISTRY OF REHABILITATION*New Delhi, the 15th November, 1952*

S.R.O. 1967.—In exercise of the powers conferred by section 57 of the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951), the Central Government hereby directs that the following amendment shall be made in the Displaced Persons (Debts Adjustment) Rules, 1951, namely:—

In the said Rules, after rule 8, the following rule shall be inserted, namely:—

“8A. *Authority under section 52.*—The authority for the purpose of section 52 of the Act shall be the Chief Settlement Commissioner, Ministry of Rehabilitation, New Delhi.”

[No. 54(3)/52-Prop.]

MANMOHAN KISHAN, Asstt. Secy.

MINISTRY OF TRANSPORT*New Delhi, the 22nd November 1952*

S.R.O. 1968.—In exercise of the powers conferred by sub-section (3) of section 1 of the Road Transport Corporations Act, 1950 (LXIV of 1950), the Central Government hereby appoints the 1st day of December, 1952, as the date on which the said Act shall come into force in the State of Hyderabad

[No. 26-T(32)/51.]

S.R.O. 1969.—In exercise of the powers conferred by sub-section (3) of section 1 of the Road Transport Corporations Act, 1950 (LXIV of 1950), the Central Government hereby appoints the 1st day of December, 1952, as the date on which the said Act shall come into force in the State of Kutch.

[No. 33-T(20)/51.]

T. S. PARASURAMAN, Dy. Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY*New Delhi, the 18th November 1952*

S.R.O. 1970.—In pursuance of clause (b) of section 2 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952), the Central Government hereby authorises the Deputy Commissioner, Nagpur, to perform the functions of a competent authority under the said Act for the area within his jurisdiction.

[No. 9313-WII/52.]

New Delhi, the 25th November 1952

S.R.O. 1971.—In exercise of the powers conferred by sub-section (1) of section 17 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952), the Central Government hereby directs that the powers exercisable by it by or under sections 6, 7, 8 and 13 of the said Act shall be exercisable also by the State Governments of Assam, Bihar, Madras, Orissa, Punjab, Travancore Cochin and West Bengal in respect of any property situated within their respective States, provided that the powers under section 8 of the said Act in so far as it relates to fixing compensation by agreement shall not be exercised except with the previous concurrence of the Central Government.

Notification No. S.R.O. 888, dated the 9th May, 1952, delegating powers under section 6 of the Act to all competent authorities is hereby cancelled.

[No. 9585-WII/52.]

K. K. SHARMA, Dy. Secy.

(Central Boilers Board)

New Delhi, the 21st November 1952

S.R.O. 1972.—*Corrigendum.*—In the Central Boilers Board's Notification No. M/BL-304(60)/51, dated the 11th June, 1952, published as S.R.O. 1113 in the *Gazette of India*, Part II—Section 3, dated the 21st June, 1952 at pages 985 to 989, the number "75" in the first line of Regulation 276-General should read as "74" and the letter "r" occurring immediately before the brackets and words "(see fig. 23)" in the second line of note 2, in Regulation 278 should read as "rm".

[No. M/BL-304(60)/51.]

A. K. SEN, Secy.

MINISTRY OF LABOUR

New Delhi, the 19th November 1952

S.R.O. 1973.—The following draft of an amendment to the Calcutta Dock Workers (Regulation of Employment) Scheme, 1951, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (IX of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 5th December 1952.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In sub-clause (1) of clause 5 of the said scheme, after the words "any other authority" the words "or any person" shall be inserted.

[No. Fac. 74(5).]

S. V. JOSHI, Dy. Secy.

New Delhi, the 20th November 1952

S.R.O. 1974.—In pursuance of section 10 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. SS.21(4), dated the 28th December, 1948, constituting the Medical Benefit Council, namely:—

In the said notification for item No. (6), the following item shall be substituted, namely:—

"(6) Dr. P. Arunachalam, M.D., M.R.C.P., T.D.D. (Wales), D.M.R. (Lond.),
Director of Medical Services, Government of Madras, Madras."

[No. SS.121(49).]

New Delhi, the 24th November 1952

S.R.O. 1975.—In pursuance of clause (b) of section 8 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. SS.121(51), dated the 7th July, 1951, namely:—

In the said notification, for item (4), the following item shall be substituted, namely:—

"(4) Shri N. M. Patnaik, I.A.S., Deputy Secretary to the Government of India, Ministry of Labour."

[No. SS 121(51).]

S.R.O. 1976.—In pursuance of sections 3 and 4 of the Employees' State Insurance Act, 1948, (XXXIV of 1948), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. SS.21(2)(2), dated the 6th September, 1948, namely:—

In the said notification, for item (7), the following item shall be substituted, namely:—

"(7) Shri N. M. Patnaik, I.A.S., Deputy Secretary to the ^{I/c} Government of India, Ministry of Labour."

[No. SS.121(53).]

K. N. NAMBIAR, Under Secy.

New Delhi, the 21st November 1952

S.R.O. 1977.—In pursuance of section 17 of the Industrial Disputes Act, 1947, the Central Government hereby publishes the following award of the All India Industrial Tribunal (Bank Disputes), in respect of an application under section 33-A of the said Act preferred by Shri Ganga Charan Misra of the Allahabad Bank Limited.

AWARD

BEFORE THE ALL INDIA INDUSTRIAL TRIBUNAL (BANK DISPUTES)

BOMBAY

COMPLAINT NO. 66 OF 1952 UNDER SECTION 33A OF THE INDUSTRIAL DISPUTES ACT, 1947

Shri Ganga Charan Misra

Versus

Allahabad Bank Limited.

This is a complaint under Section 33A of the Industrial Disputes Act, 1947 (Act XIV of 1947), by Shri Ganga Charan Misra employed as a peon in the Allahabad Bank Ltd., City Office, Kanpur.

2. According to him he entered service of the Bank in May 1935 and since then has been working as a peon. From 14th December 1951 he was on leave. The Bank had sanctioned him 22 days' leave. On 15th December 1951 he was admitted in the Lala Lajpat Rai Hospital and underwent an operation on the 19th December 1951. On 1th January 1952 he applied again for 2 months' leave on medical grounds. The Medical Superintendent recommended one month's leave and the Bank accordingly sanctioned him one month's leave expiring on 7th February 1952. 29 days leave was to be without pay. On 11th February 1952 he again applied for 15 days leave but the Head Office of the Bank put him on what is known as "indefinite leave". He wanted to rejoin duty. He was informed by the Agent that the matter had been referred to the Head Office and it was only on 28th February 1952 that he was told that he had been put on indefinite leave. On 19th March 1952 he was called upon to produce a medical certificate of fitness from the Bank's doctor and he did so. On 31st March 1952, he was again asked to produce a certificate from the Civil Surgeon at his own cost and he complied with that requisition also. On 23rd May 1952 he was informed that the Bank was not in a position to absorb him in any of its offices. The complaint further states that when the Head Office asked the City Office whether it needed the services of another peon the City Office Agent reported that he did not want additional staff though the previous strength was reduced by one peon. It is urged that placing an employee on indefinite leave really amounts to discharge or termination of his services and that in the circumstances the act of the Bank was illegal and also incompetent. The workman accordingly prays to be reinstated in his original post with continuity of service and also with all arrears of salary and allowances payable to him.

3. The written statement of the Bank states that the complainant had no privilege or sick leave to his credit. Notwithstanding this, the Bank had granted him leave without pay for 29 days but when the peon asked for another extension the Bank placed him on indefinite leave in accordance with the Bank's practice. The relevant rule on this point is set out as follows:—

"An employee placed on indefinite leave as a result of illness retains no claim against the Bank except as regards any gratuity to which he

may have been entitled as on the date of his last attendance. Reinstatement in such cases is at the discretion of the management and is subject, moreover, to a vacancy then existing and the applicant's ability to produce an acceptable certificate of fitness from a doctor approved by the Bank".

The Bank further states that a certificate from the Civil Surgeon was called for and was supplied by the peon. It is the case of the Bank that the Branch Office where the peon was working was asked whether his reinstatement was necessary and on being informed that that Branch did not want a peon and there being no other vacancy the complainant was informed accordingly. It is submitted that placing the complainant on indefinite leave did not amount to an alteration of the conditions of service and did not amount to discharge or termination of his services. It is stated further that the complainant will be reinstated on the occurrence of the first vacancy.

4. During the arguments before us it was admitted that the workman placed on indefinite leave was not paid any pay or allowances of any kind and that he was free to enter service elsewhere. The only privilege that he has is that the Bank may reinstate him on production of a certificate of fitness when a vacancy arises. Reinstatement is wholly at the discretion of the management. In our opinion, placing a man on indefinite leave as stated above really amounts to a discharge or termination of his services within the meaning of Section 33 of the Industrial Disputes Act, 1947. The previous permission of the Tribunal is therefore necessary.

5. We shall now deal with the merits of the case. In this matter it has not been established satisfactorily that there was any need for retrenchment of a peon in the City Office of the Bank at Kanpur. No materials have been placed before us to enable us to accept that position. The requisition for a certificate of fitness from the Civil Surgeon indicated that the Bank was proposing to reinstate him. Although about 7 months have elapsed since then, the Bank states that it has not been able to absorb him anywhere else. We find it difficult to uphold the contention of the Bank in this respect. In our view, as the need for retrenchment of a peon in the office in which he was previously working has not been made out, the proper order to pass in this case is that he should be reinstated and that his salary and allowances as from 1st May 1952 should be paid to him. The period of his absence from work till the 30th April 1952 should be treated as leave without pay and he must also be given the benefit of the continuity of service throughout. We pass an award accordingly in the above terms.

(Sd.) S. PANCHAPAGESA SASTRY, *Chairman.*

(Sd.) M. L. TANNAN, *Member.*

(Sd.) V. L. D'SOUZA, *Member.*

BOMBAY;

The 6th November, 1952.

[No. LR-100(18).]

P. S. EASWARAN, *Under Secy.*

New Delhi, the 21st November 1952

S.R.O. 1978.—In exercise of the powers conferred by section 16 of the Tea Districts Emigrant Labour Act, 1932 (XXII of 1932), the Central Government hereby declares that with effect from the 1st February, 1953, the areas comprising the former Indian States of Banganapalli, Pudukottai and Sandur now included in the revenue divisions of Nandyal, Pudukottai and Hospet of Kurnool, Tiruchirappalli and Bellary districts respectively in the State of Madras, shall be controlled emigration areas.

[No. AL-145/EMG(10)I.]

S.R.O. 1979.—In exercise of the powers conferred by sub-section (1) of section 17 of the Tea Districts Emigrant Labour Act, 1932 (XXII of 1932), the Central Government hereby empowers the Additional District Magistrates (Independent) of Bellary, Kurnool and District Magistrate of Tiruchirappalli in the State of Madras, respectively, to grant licence to any person to act as a local forwarding

agent in the controlled emigration areas comprising the former Indian States of Sandur, Banganapalli and Pudukottai, in the State of Madras, on behalf of an employer or employers of labourers.

[No. AL-145/EMG(10)/II.]

S.R.O. 1980.—In exercise of the powers conferred by sub-section (3) of section 36 of the Tea Districts Emigrant Labour Act, 1932 (XXII of 1932), the Central Government hereby invests the Additional District Magistrates (Independent) of Bellary, Kurnool and District Magistrate of Tiruchirappalli, and the Sub-Divisional Magistrates of Hospet, Nandyal and Pudukottai in the State of Madras, with the powers of the Controller under sub-clauses (iv) and (v) of clause (a) and clauses (b), (c) and (d) of section 4 and under sections 33, 34 and 35 of the said Act to be exercised respectively within the areas comprising the former Indian States of Sandur, Banganapalli and Pudukottai.

[No. AL-145/EMG(10)/III.]

S.R.O. 1981.—In exercise of the powers conferred by sub-section (4) of section 36 of the Tea Districts Emigrant Labour Act, 1932 (XXII of 1932), the Central Government hereby invests the Civil Surgeons of the Bellary, Kurnool and Tiruchirappalli districts with the powers of the Controller under sub-section (1) of section 33 and sub-section (1) of section 35 of the said Act, to be exercised respectively within the areas comprising the former Indian States of Sandur, Banganapalli and Pudukottai, in the State of Madras.

[No. AL-145/EMG(10)/IV.]

SADASHIVA PRASAD, Dy. Secy.

New Delhi, the 25th November 1952

S.R.O. 1982.—In exercise of the powers conferred by clause (1) of article 238 of the Constitution, the President hereby entrusts to the Government of Rajasthan, with their consent, the functions of the Central Government under sub-section (1) of section 20 of the Minimum Wages Act, 1948 (XI of 1948), in respect of the employees engaged on road construction or building operations and in stone breaking or stone crushing in the railways situate in the State of Rajasthan.

[No. LWI-24(61)L.]

S.R.O. 1983.—In exercise of the powers conferred by clause (1) of article 238 of the Constitution the President hereby entrusts to the Government of the Patiala and East Punjab States Union, with their consent, the functions of the Central Government under sub-section (1) of section 20 of the Minimum Wages Act, 1948 (XI of 1948), in respect of the following namely:—

- (1) Employees in the Cantonment Boards in the State of the Patiala and East Punjab States Union, and
- (2) Employees engaged on road construction or in building operations and in stone breaking or stone crushing in the railways situated in the State of Patiala and East Punjab States Union.

[No. LWI-24(61)II.]

P. N. SHARMA, Under Secy.

New Delhi, the 25th November 1952

S.R.O. 1984.—In pursuance of sub-section (3) of section 14 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby specifies the Commissioner for the Employees' Provident Fund appointed under subparagraph (1) of paragraph 19 of the Employees' Provident Funds Scheme, 1952 as the authority for the purposes of the said sub-section.

[No. PF.516(55).]

K. N. SUBRAMANIAN, Joint Secy.

New Delhi, the 25th November 1952

S.R.O. 1953.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (XLVI of 1948), the Central Government hereby directs that the following further amendments shall be made in the Coal Mines Provident Fund Scheme published with the notification of the Government of India in the Ministry of Labour No. P.F.15(5)/48, dated the 11th December, 1948, namely:—

In the said Scheme—

1. In paragraph 39, the words "He shall also arrange to have the persons so qualified photographed as soon as possible and prepare Identity Cards for them in Form G annexed hereto. Two copies of the photographic prints shall be taken from the same negative and shall be affixed on the Identity Cards and Declaration Forms. The Identity Cards shall thereafter be sent to the employer, who shall sign and the member shall sign or affix his thumb impression, across the edge of the photograph so as to prevent its subsequent replacement" shall be omitted.
2. In paragraph 47 the words "subject to paragraph 43" shall be omitted.
3. In Form 'A' annexed to the Scheme the space together with words "Space for photograph" shall be omitted.
4. In Form J—
 - (a) the words "and Identity Cards" and Column 4 shall be omitted.
 - (b) columns 5, 6 and 7 shall be renumbered as columns 4, 5 and 6, respectively.
 - (c) the words "No. of Identity Cards" shall be omitted.
5. In Form 'K'—
 - (a) the words "and Identity Cards" shall be omitted.
 - (b) the column headed "Identity Cards sent (S) not sent (N)" shall be omitted.
 - (c) the words "No. of Identity Cards" shall be omitted.
6. In Form 'L'
 - (a) the words "and Identity Cards" and "and the Identity Cards (in the case of those who have not already surrendered them as mentioned below)" shall be omitted.
 - (b) in the column headed "Account Number", the words "in the Identity Card or as" shall be omitted.
 - (c) the column headed "whether Identity Card surrendered (write 'Yes' or 'No')" shall be omitted.

[No. P.F.2(16)/52.]

N. M. PATNAIK, Dy. Secy.

New Delhi, the 29th November 1952

S.R.O. 1956.—*Corrigendum.*—In this Ministry's notification No. S.R.O. 1858, dated the 4th November 1952, published on page 1662 of the *Gazette of India*, Part II—Section 3, dated the 8th November, 1952, for the words "section 5" occurring in first sentence read the words "section 7".

[No. PF-509(34).]

TEJA SINGH SAHNI, Under Secy.

